

PROPOSED DRAFT EMERGENCY REVISIONS TO WASTE TIRE FACILITY REGULATIONS

Chapter 3 - Minimum Standards for Solid Waste Handling and Disposal

Article 5.5. Waste Tire Storage and Disposal Standards

17350. Scope.

(a) Any solid waste facility storing 500 or more waste tires or a major or minor waste tire facility which stores waste tires outdoors must comply with the technical and operational standards in sections 17351 through 17355 of this Article. Any facility that stores waste tires indoors must comply with the technical and operational standards in section 17356 of this Article. Waste tires that are disposed of by burying at a solid waste facility are addressed in section 17355 of this Article.

~~(b) This Article shall not apply to any facility that meets the requirements of section 18420(b) or (c) of Article 1, Chapter 6 of this Division.~~

Note

Authority cited: Section 40502, 42820, 42830 and 43020, Public Resources Code.

Reference: Sections 42820, 42821, 42830, 42832 and 43020, Public Resources Code.

Chapter 6 - Permitting Of Waste Tire Facilities

Article 1. General

18420. Applicability.

(a) The operator of a waste tire facility that stores, stockpiles, accumulates or discards waste tires shall acquire a waste tire facility permit in accordance with the requirements of this Chapter, unless any of the following conditions exist:

(1) The waste tires are stored or disposed at a solid waste disposal facility permitted pursuant to this Title. The permit of the solid waste facility shall be modified or revised pursuant to Public Resources Code (PRC) section 44014 and shall conform to the requirements of 14 CCR, Division 7, Chapter 3, Article 5.5.

(2) The facility is using fewer than 5000 waste tires for agricultural purposes and the waste tires have been rendered incapable of holding accumulations of water, including but not limited to, waste tires that have been shredded, chopped, drilled with holes sufficiently large to assure drainage, or slit longitudinally and stacked so as not to collect water.

(3) The facility is storing less than 500 waste tires.

~~(4) The waste tires are stored in an enclosed structure in accordance with section 17356(a), Article 5.5, Chapter 3.~~

(5) (4) The waste tires are stored in fully enclosed movable containers in accordance with section 17356(b) of Article 5.5, Chapter 3.

~~(b) For the purposes of this chapter, a business shall not be deemed to be storing, stockpiling, accumulating or discarding waste tires if, as a normal element of its business, it processes recyclable tires and ninety percent of all the recyclable and other waste tires received are not maintained on the business premises for more than 150 days. The total number of recyclable and other waste tires maintained on the premises for more than 150 days shall not exceed 25 percent of the number of recyclable and other waste tires received during the previous 150 day period. For the purpose of this subsection "processes" shall mean the retreading or remolding of recyclable tires, or the resale of recyclable tires that meet section 393.75 of Title 49, Code of Federal Regulations, October 1, 1977.~~

~~(c) For the purposes of this chapter, a business shall not be deemed to be storing, stockpiling, accumulating or discarding waste tires if ninety percent of all the waste tires received are not maintained on the business premises for more than 150 days and at no time are there 5000 or more waste tires maintained on the business premises. The total number of waste tires maintained on the premises for more than 150 days shall not exceed 25 percent of the number of waste tires received during the previous 150 day period.~~

(d) For the purpose of determining applicability of this Chapter:

(1) The number of waste tires stored at any site shall be computed as the sum of the number of whole plus altered waste tires as defined in section 18422(a) of this Chapter.

(2) Operators who satisfy the requirements under subsections (a)(4) ~~or (5) or (b) or (c)~~, above, shall submit a completed form CIWMB 500 "Waste Tire Facilities Permit Application" (10/92), which is incorporated herein by reference. (See Appendix A.) The Board shall review the Application to determine if the operator qualifies under subsections (a)(4), ~~(a)(5), (b) or (c)~~ above.

(e) For the purposes of Chapter 6, Articles 2 through 8 and Article 9 apply to operators and/or businesses described under Chapter 6, Article 1.

(f) For the purposes of Chapter 6, Article 8.5 applies to the waste tire hauler registration program as described under Article 8.5.

Note

Authority cited: Sections 40502, 42820, and 42830, Public Resources Code.

Reference: Section 42820, 42830, 42831, 44014, Public Resources Code.